

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Theflyonthewall.com, Inc.,
Plaintiff,

V.

TRADE THE NEWS, INC.,
Defendant.

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 CIV 9612

TO: (Name and address of Defendant)

TRADE THE NEWS, INC.
11 Broadway, Suite 800
New York, New York 10004

JUDGE McMAHON

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Glenn F. Ostrager
OSTRAGER CHONG FLAHERTY & BROITMAN P.C.
570 Lexington Avenue
New York, New York 10022-6894

an answer to the complaint which is served on you with this summons, within TWENTY (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 29 2007

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE
NAME OF SERVER (PRINT)	TITLE

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the defendant. Place where served:
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
Name of person with whom the summons and complaint were left:
- ☐ Returned unexecuted:
- ☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL \$0.00
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

THEFLYONTHEWALL.COM, INC.

Index #: 07 CIV 9612 (MCMAHON

Plaintiff(s)

- against -

Date Filed:

TRADE THE NEWS, INC.

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

DAVID GOLDBERG BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on October 30, 2007 at 03:16 PM at

11 BROADWAY, SUITE 800
NEW YORK, NY10004

deponent served the within true copy of the SUMMONS & COMPLAINT, CIVIL COVER SHEET, JUDGES' RULES on TRADE THE NEWS, INC., the defendant/respondent therein named,

CORPORATION by delivering thereat a true copy of each to MS. JANE SMITH personally, deponent knew said corporation so served to be the corporation described in said SUMMONS & COMPLAINT, CIVIL COVER SHEET, JUDGES' RULES as said defendant/respondent and knew said individual to be the GENERAL AGENT thereof.


Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
FEMALE	BROWN	BLACK	25	5'3	110

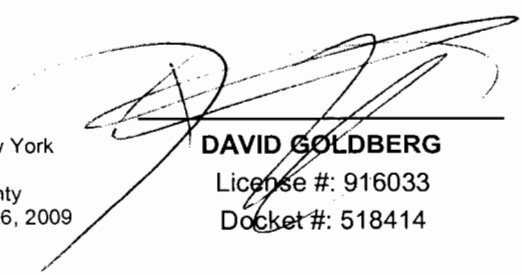
Ms. Jane Smith, true name unknown said name fictitious, said name intended being the managing (or general) agent of defendant/respondent described as above and refusing to give name at time of service.

Sworn to me on: October 31, 2007

Linda Forman
Notary Public, State of New York
No. 01FO5031305
Qualified in New York County
Commission Expires August 1, 2010


Robin M. Forman
Notary Public, State of New York
No. 01FO6125415
Qualified in New York County
Commission Expires April 18, 2009

Larry Yee
Notary Public, State of New York
No. 01YE5015682
Qualified in New York County
Commission Expires July 26, 2009


DAVID GOLDBERG
License #: 916033
Docket #: 518414